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Meeting of the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes

Implementation Committee

Fourth meeting
London, 4 December 2014

Report of the Implementation Committee on its fourth meeting

I. Attendance and organizational matters

1. The fourth meeting of the Implementation Committee under the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) was held on 4 December 2014 at Queen Mary University of London.

2. All members of the Implementation Committee took part in the meeting: Mr. Attila Tanzi (Chair), Mr. Saghit Ibatullin (Vice-Chair), Ms. Vanya Grigorova, Mr. Kari Kinnunen, Mr. Johan Lammers, Mr. Stephen McCaffrey, Ms. Anne Schulte-Wülwer-Leidig, Mr. Aliaksandr Stankevich and Mr. Ivan Zavadsky. No observers attended the meeting.

3. The Committee adopted the agenda as set out in document ECE/MP.WAT/IC/2014/3.

II. Requests for advice, submissions and Committee initiative

4. The Committee noted that no requests for advice or submissions had been received from Parties and that it was not otherwise aware of information that would require the Committee to consider the need for a Committee initiative.

III. Information gathering

5. Within its competence under section VIII of the annex I to decision VI/1 of the Meeting of the Parties to the Convention (see ECE/MP.WAT/37/Add.2) and further to its deliberations at its third meeting (ECE/MP.WAT/IC/2014/2, paras. 5–9), the Committee

decided to approach Kazakhstan and the Russian Federation to ask both Parties to provide more comprehensive information on the Irtysh River Basin in relation to the development activity in the upstream part of the basin. In so doing, the Committee expressed the opinion that Parties were under a good faith obligation to respond to its enquiries.

6. The Committee acknowledged and was grateful for the general information on cooperation between the Russian Federation, Kazakhstan and China provided by the Russian Federation in its letter dated 7 October 2014, sent in response to the Committee's letter dated 8 August 2014. The Committee observed that cooperation was a key principle of the Convention, as it supported the achievement of the Convention's object and purpose.

7. However, the Committee also observed that cooperation per se was not the overall objective of the Convention. It therefore decided that it would write again to request a response from Kazakhstan and the Russian Federation to the questions (a)–(e) posed earlier pertaining to the implementation of the principles of reasonable and equitable use and "no harm", which were equally important (see ECE/MP.WAT/IC/2014/2, para. 8).

8. The Committee underscored the importance of receiving responses from the two Governments by 30 April so that it would be in a position to consider them at its next meeting, to be held in May 2015, thus allowing the Committee to report appropriately on the matter to the Meeting of the Parties to the Convention at its session in November 2015.

9. In its letter to Kazakhstan, to be addressed to the Chair of the country's Water Committee, the Implementation Committee would refer to its earlier letters of 24 January and 8 August 2014, to which the Committee had not as yet received a response. The letter to the Russian Federation should be addressed to the Ministry of Natural Resources and Environment. Additional letters should be sent to the co-Chairs of the Russian Federation-Kazakhstan Commission on the Joint Use and Protection of Transboundary Waters and the Kazakhstan-China Joint Commission on the Use and Protection of Transboundary Rivers, providing the background to the Committee's information gathering and restating the questions posed to the countries in August 2014. All the letters should request that responses pay special attention to wetlands and to monitoring.

IV. Relevant activities of other bodies under the Convention

10. Mr. Lammers informed the Committee about the relevant discussions at the ninth meeting of the Working Group on Integrated Water Resources Management, held in Geneva on 25 and 26 June 2014. Mr. Lammers had represented the Committee at the meeting and presented the tasks of the Committee and its main responsibilities.

11. The secretariat informed the Committee about the meeting of the Core Group on Reporting under the Convention, which would take place on 15 and 16 December 2014 in Geneva. Committee members Ms. Grigorova and Mr. Lammers were to participate in that meeting in their expert capacity. The Committee asked the secretariat to report on the main outcomes of the first meeting of the Core Group at the Committee's next meeting.

V. Promotion of the mechanism to facilitate and support implementation and compliance

12. The secretariat informed the Committee about efforts to publicize the Committee's work, in particular the presentations delivered at the Fifth Annual International Law and Transboundary Freshwaters Workshop (Dundee, United Kingdom of Great Britain and Northern Ireland, 9–13 June 2014).

13. The secretariat also informed the Committee about the tenth meeting of the Compliance Committee under the Protocol on Water and Health, held in Geneva on 25 November 2014. At the meeting, the Compliance Committee had taken note of the first communication it had received from a member of the public, although it had yet to determine the preliminary admissibility of that communication. It had also decided to initiate a case regarding the possible non-compliance by Portugal with its reporting obligations. In addition, in line with a decision taken by the Meeting of the Parties to the Protocol at its third session (Oslo, 25–27 November 2013), the Compliance Committee had agreed to invite four Parties (one of them as an observer) to engage in a consultation process.

14. Lastly, the secretariat described a planned series of interviews with Implementation Committee members that were to be recorded on video to promote the Committee in different media. The main aspects of the Committee's work, its mandate and main functional duties were to be covered in the interviews.

VI. Programme of work and calendar for the next meetings

15. The Committee reviewed the decisions it had taken in the meeting and the matters it was likely to address at its next meeting.

16. The Committee agreed to hold its fifth meeting on 5 and 6 May 2015 in Vienna.

17. The Committee also agreed that its sixth meeting could be held only after the seventh session of the Meeting of the Parties to the Water Convention (Budapest, 17–20 November 2015), possibly in Kazakhstan in May 2016 with a back-to-back workshop for the benefit of Central Asian countries. The proposal to hold such a workshop should be reflected in the draft programme of work for 2016–2018 to be considered by the Meeting of the Parties to the Convention at its seventh session.

VII. Other business

18. The Chair informed the Committee about the workshop focusing on the contribution of legal and scientific expertise in handling transboundary water law disputes that was to be held on 5 December 2014, back to back with the fourth meeting of the Committee. Committee members were invited to share their experience and promote the Implementation Committee at the workshop. A similar event might be organized in Geneva in summer 2015.

VIII. Adoption of the report

19. The Committee entrusted the secretariat to prepare and circulate the draft report on its fourth meeting, which the Committee subsequently approved through electronic communication means.